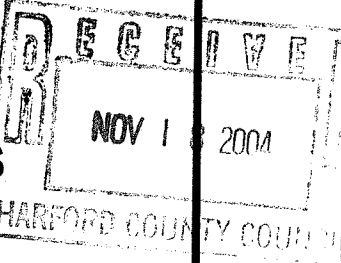


STANDARD APPLICATION
Harford County
Board of Appeals

Bel Air, Maryland 21014



Case No. 5461
Date Filed 11/16/04
Hearing Date _____
Receipt _____
Fee \$450

Shaded Areas for Office Use Only

Type of Application

- _____ Administrative Decision/Interpretation
- _____ Special Exception
- _____ Use Variance
- _____ Change/Extension of Non-Conforming Use
- _____ Minor Area Variance
- _____ Area Variance
- _____ Variance from Requirements of the Code
- _____ Zoning Map/Drafting Correction
- _____

Nature of Request and Section(s) of Code _____

CASE 5461 MAP 41 TYPE Variance

ELECTION DISTRICT 03 LOCATION 1009 Manchester Ct., Bel Air, MD

BY Clarence and Cynthia White

Appealed because a variance pursuant to Sec. 267-36B, Table IV of the Harford County Code to allow an addition to encroach the minimum 40' front yard setback (27' proposed) in the R1 district requires approval by the Board.

NOTE: A pre-conference is required for property within the NRD/Critical Area or requests for an Integrated Community Shopping Center, a Planned Residential Development, mobile home park and Special Exceptions.

Applicant/Owner (please print or type)

Name CLARENCE L White Jr Phone Number 410-638-0147
Address 1009 MANCHESTER CT BEL AIR MD 21014
Street Number Street City State Zip Code

Co-Applicant CYNTHIA D White Phone Number _____
Address SAME _____
Street Number Street City State Zip Code

Contract Purchaser _____ Phone Number _____
Address _____
Street Number Street City State Zip Code

Attorney/Representative _____ Phone Number _____
Address _____
Street Number Street City State Zip Code

Land Description

Address and Location of Property 1009 MANCHESTER CT
BEL AIR, Md. 21014

Subdivision HAMPTON RIDGE Lot Number 83

Acreage/Lot Size .5 Election District 3 Zoning R1

Tax Map No. 41 Grid No. 3B Parcel 568 Water/Sewer: Private _____ Public ☒

List ALL structures on property and current use: SINGLE FAMILY HOME

Estimated time required to present case: 15 MINUTES

If this Appeal is in reference to a Building Permit, state number _____

Would approval of this petition violate the covenants and restrictions for your property? NO

Is this property located within the County's Chesapeake Bay Critical Area? Yes _____ No ☒

If so, what is the Critical Area Land Use designations: _____

Is this request the result of a zoning enforcement investigation? Yes _____ No ☒

Is this request within one (1) mile of any incorporated town limits? Yes _____ No ☒

Request

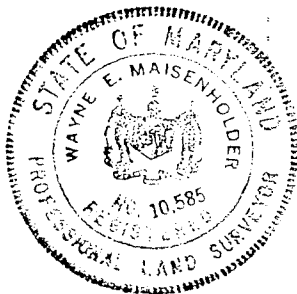
22' x 28'
Add ~~20' x 20'~~ SUNROOM to LEFT SIDE OF HOUSE.
THIS WOULD BE A AREA VARIANCE TO FRONT SETBACKS

Justification

- ① UNUSUAL SHAPE OF LOT FOR ^{FRONT} SETBACKS
- ② NO LOTS/HOMES ON SIDE OF PROPERTY WHERE SUNROOM WOULD SET (OPEN SPACE) Addition IS SET BACK TO ACCOMMODATE FRONT REAR
- ③ THIS IS THE ONLY SPACE THAT MAKES SENSE TO EXPAND
EO THIS REQUEST IS CONSISTENT WITH VARIANCE REQUIREMENTS NO
267-11 (a) 1 & 2

If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)

NOTE: Lot 83 shown hereon does not lie within any 100 year Flood Boundary, shown on National Flood Insurance Program, Flood Insurance Rate Map for Harford County, Maryland Community Panel Number 240040-0092A and/or 240040-0064A, effective date March 2, 1983, but does lie within Zone C (Area of minimal flooding), shown on said map.

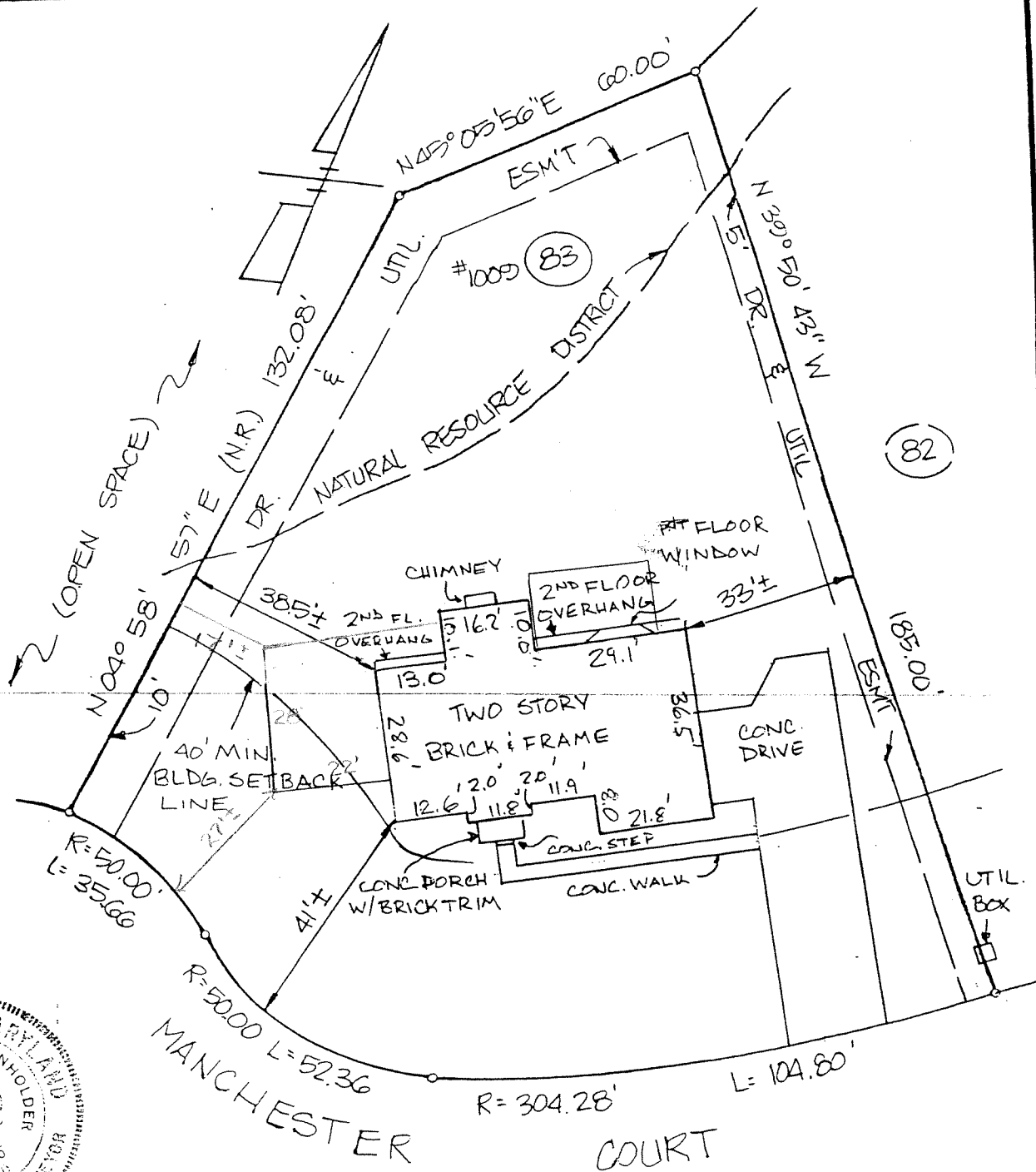


THIS PLAT IS TO CERTIFY THAT WE HAVE MADE A LOCATION SURVEY OF THE IMPROVEMENTS AND THAT THEY ARE LOCATED AS SHOWN HEREON; AND IS NOT INTENDED FOR USE IN ESTABLISHING PROPERTY LINES AND DOES NOT CONSTITUTE A BOUNDARY SURVEY.

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.

Wayne E. Maisenholder
ASSOCIATE

REG. NO. 10585



Being Known & Designated As Lot 83
As Shown On "Final Plat 3, Sect. 5,
Hampton Ridge" As Recorded In Plat
Book C.G.H. 74-69.

#1009 Manchester Court
Hampton Ridge

HARFORD CO., MD. ELECT. DIST. No. 3
SCALE 1"=30' DATE 11/5/92

TABLE

ANGLE	RADIUS	LENGTH	BEARING	CHORD	TANGENT
0° 5' 22"	318.63	184.94	N 55° 45' 44" W	182.36	95.16
0° 10' 44"	304.28	104.80	N 60° 01' 19" E	104.29	52.93
0° 14' 04"	329.28	113.41	N 60° 01' 19" E	112.85	57.27
0° 17' 00"	354.28	122.02	N 60° 01' 19" E	121.42	61.62
0° 20' 00"	50.00	209.44	N 60° 01' 19" E	86.60	86.60
0° 22' 15"	162.50	91.34	N 65° 59' 29" E	90.14	46.91
0° 24' 00"	50.00	52.36	S 60° 06' 39" E	50.00	28.87
0° 25' 57"	50.00	116.25	N 22° 25' 19" E	91.78	115.59

FINAL PLAT FOUR - SECTION FIVE
HAMPTON RIDGE

74-69

OPEN SPACE

NON-TIDAL WETLANDS

NATURAL RESOURCE DISTRICT

STORMWATER MANAGEMENT EASEMENT

75' BUFFER

LOCATION MAP
Not to scale

N 52° 42' 21" E
E 966' 4' 70"

N 22° 52' 54" E 177.51'

N 112° 25' 11" E 112.25'

N 45° 05' 56" E 80.00'

N 45° 05' 56" E 132.08' (N.P.)

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N 45° 05' 56" E 132.08' (N.P.)

20' DRAINAGE & UTILITY EASEMENT

STORMWATER MANAGEMENT EASEMENT

COMMON DRIVE EASEMENT

75' BUFFER

10' DRAINAGE AND UTILITY EASEMENT (TYP.)

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PROPERTY MANAGEMENT, INC.

MANAGERS OF CONDOMINIUMS, HOMEOWNER
ASSOCIATIONS, & COMMUNITY ASSOCIATIONS

October 13, 2004

Mr. Clarence White
1009 Manchester Court
Bel Air, MD 21014

Subject: Hampton Ridge Homeowners
Association, Inc.
Architectural Submittal:
Sunroom Addition

Dear Mr. White:

The Design Review Board has approved your plans as submitted for a sunroom addition. Please note all County permits and approvals are the responsibility of the homeowners.

I hope that your new addition affords you many years of enjoyment. Should you require any further information concerning this matter, please do not hesitate to contact me.

Very truly yours,
MRA Property Management, Inc.

Erika N. Grden, Property Manager
Agent for Hampton Ridge

ENG/plh

cc: Architectural Review File



JAMES M. HARKINS
HARFORD COUNTY EXECUTIVE

JOHN J. O'NEILL, JR.
DIRECTOR OF ADMINISTRATION

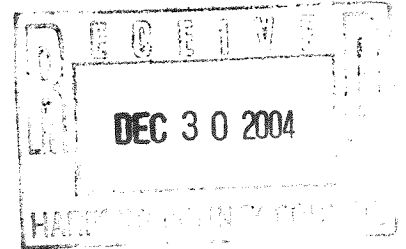


J. STEVEN KALL-ZIEGLER
DIRECTOR OF PLANNING & ZONING

HARFORD COUNTY GOVERNMENT

Department of Planning and Zoning

December 1, 2004



STAFF REPORT

BOARD OF APPEALS CASE NO. 5461

APPLICANT/OWNER: Clarence L White Jr.
1009 Manchester Court, Bel Air, Maryland 21014

Co-APPLICANT/OWNER: Cynthia D. White
1009 Manchester Court, Bel Air, Maryland 21014

REPRESENTATIVE: Applicants

LOCATION: 1009 Manchester Court – Hampton Ridge
Tax Map: 41 / Grid: 3B / Parcel: 568 / Lot: 83
Election District: Third (3)

ACREAGE: 0.467 of an acre

ZONING: R1/Urban Residential District

DATE FILED: November 16, 2004

HEARING DATE: January 5, 2005

APPLICANT'S REQUEST and JUSTIFICATION:

Request:

“Add 22’ x28’ sunroom to left side of house. This would be an area variance to front setbacks.”

Preserving our values, protecting our future

STAFF REPORT

Board of Appeals Case Number 5461

Clarence & Cynthia White

Page 2 of 4

Justification:

1. "Unusual shape of lot for front setbacks.
2. No lots / homes on side of property where sunroom would set (open space). Addition is setback to accommodate front requirements.
3. This is the only space that makes sense to expand. This request is consistent with variance requirements No. 267-11."

CODE REQUIREMENTS:

The Applicants are requesting a variance pursuant to Section 267-36B, Table IV of the Harford County Code to allow an addition to encroach the minimum 40-foot yard setback (27-foot proposed) in the R1/Urban Residential District.

Enclosed with the report is a copy of Section 267-36B, Table IV of the Harford County Code (Attachment 1).

LAND USE and ZONING ANALYSIS:

Land Use – Master Plan:

The Applicants' property is located to the west side of North Fountain Green Road in the development of Hampton Ridge. The subject lot is situated on the north side of Manchester Court near or at the end of the cul-de-sac. A location map and a copy of the Applicant's site plan are enclosed with the report (Attachments 2 and 3).

The subject property is located within the Development Envelope. The predominant land use designations are Low and Medium Intensities. The subject property is located in the Low Intensity designation which is defined by the 2004 Master Plan as:

Low Intensity – Areas within the Development Envelope where residential development is the primary land use. Density ranges from 1.0 to 3.5 dwelling units per acre. Neighborhood commercial uses such as convenience stores, doctors' offices, and banks are example of some of the nonresidential uses associated with this designation.

Enclosed with the report are copies of portions of the 2004 Land Use Map and the Natural Resources Map (Attachments 4 and 5).

Land Use – Existing:

The existing land uses in this area of the County are consistent with the 2004 Master Plan. Residential uses include single-family dwellings and townhouses. Other land uses include C. Milton Wright High School and churches. Commercial uses are located along Conowingo Road

STAFF REPORT

Board of Appeals Case Number 5461

Clarence & Cynthia White

Page 3 of 4

(US Route 1) to the north and Churchville Road (MD Route 22) to the south. Enclosed with the report is a copy of the aerial photograph (Attachment 6).

Hampton Ridge is a single-family residential development. The Applicants' lot is irregular in shape due to the curves in the road and the area of NRD to the rear of the lot. Improvements consist of a brick and frame single-family dwelling with an attached 2-car garage. There is a concrete driveway on the right side. Attached to the rear of the dwelling is a deck accessing sliding glass doors from the second level. The property is nicely landscaped and well maintained. The lot is bordered on the rear and left side by an area of wetlands, and Natural Resource District as shown on Attachment 7. The topography ranges from level to sloping. The portion of the lot directly in front of the dwelling rises gently up from the road to the front of the house. Enclosed with the report is a copy of the topography map, an enlargement of the aerial photograph and site photographs (Attachments 8, 9 and 10).

Zoning:

The zoning classifications in the area are consistent with intent of the 2004 Master Plan as well as the existing land uses. The residential zoning in the area ranges from R1 to R3/Urban Residential Districts. The subject property is zoned R1/Urban Residential District. Enclosed with the report is a copy of the Zoning Map (Attachment 11).

SUMMARY:

The Applicants are requesting a variance pursuant to Section 267-36B, Table IV of the Harford County Code to allow an addition to encroach the minimum 40-foot yard setback (27-foot proposed) in the R1/Urban Residential District.

Variances of this nature may be approved by the Board of Appeals pursuant to Section 267-11 of the Harford County Code, provided it finds by reason of the uniqueness of the property or topographical conditions that literal enforcement of the Code would result in practical difficulty and undue hardship. Further, the applicant must show that the request will not be substantially detrimental to adjacent properties or will not materially impair the purpose of the Code or the public interest.

The Department finds that the subject property is unique. The property contains an unusual configuration because of the curve in the road and the natural features to the rear of the property. Due to these factors, the buildable area of this lot is constrained. The area adjacent to the proposed addition is recorded as open space. The request, if approved, will not have an adverse impact on the adjacent properties or the intent of the code.

MRA Property Management, Inc. sent the Applicants a letter indicating they had reviewed and extended their approval for the design of the proposed sunroom, subject to the Applicant obtaining all necessary permits and approvals (Attachment 12).

STAFF REPORT

Board of Appeals Case Number 5461

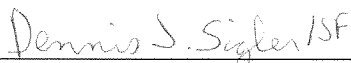
Clarence & Cynthia White

Page 4 of 4

RECOMMENDATION and or SUGGESTED CONDITIONS:

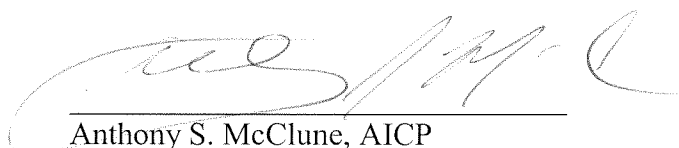
The Department of Planning and Zoning recommends that the request be approved subject to the following conditions:

1. Applicants obtain all necessary permits and inspections for the construction of the sunroom.
2. The Applicants shall submit a landscaping plan to the Department of Planning and Zoning for review and approval prior to application for building permits.



Dennis J. Sigler, Coordinator
Zoning & Board of Appeals Review

DJS/ASM/jf



Anthony S. McClune, AICP
Deputy Director, Planning and Zoning